

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED REALTY ADVISORS, LP, et al.,

Plaintiffs,

Civil Action No. 14-CV-5903

Civil Action No. 14-CV-8084

vs.

HON. BERNARD A. FRIEDMAN

ELI VERSCHLEISER, et al.,

Defendants.

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ORDER DENYING DEFENDANTS' MOTIONS TO ADJOURN TRIAL

This matter is presently before the Court on letters filed by two pro se defendants – one filed by defendant Raul Delforno on June 2, 2022 (ECF No. 534), and the other filed by defendant Eli Verschleiser on June 3, 2022 (ECF No. 538). The Court shall interpret both letters as motions to adjourn trial.

This case is set for trial on June 13, 2022. In his letter, Delforno states that he was only recently made aware of the trial date. (ECF No. 534, Page 1). He adds that his “wife just gave birth to a healthy baby” and that he cannot leave his home in Florida to attend a trial in New York at this time. (*Id.*). In Verschleiser’s letter, he asserts that he has “been trying to persuade [his] previous attorney to come back into the case to help [him] navigate the upcoming trial,” but explains that the attorney’s grandmother recently passed away and he therefore cannot represent Verschleiser at trial. (ECF No. 538, Page 1). Verschleiser adds that he has reached out to “numerous” other attorneys, but to no avail. (*Id.*). He consequently requests a thirty-day extension so that he “can find the counsel for this trial and properly defend [him]self.” (*Id.*)

The Court entered a trial notice advising the parties of their June 2022 trial date on April 7, 2022 (ECF Nos. 422, 427),¹ shortly after the trial date was assigned by the Judicial Services Department within the Southern District of New York. Further, as noted in the proposed joint pretrial order, the substance of plaintiffs' claims has remained constant over the past four-plus years. (ECF No. 431, Page 1-2) (stating that the latest proposed joint pretrial order merely updated the order submitted on May 1, 2018, and that section IV "Summary of Plaintiffs' Claims" "remains unchanged (save an occasional correction of a typographical error)"). This case has been ongoing for nearly eight years and trial has already been adjourned three times. Delforno and Verschleiser have had ample notice and time to prepare for these proceedings and to retain counsel, if they so desired. Under the circumstances, Delforno and Verschleiser have failed to show good cause for further delaying resolution of case. *See* Fed. R. Civ. P. 16(b)(4). Accordingly,

IT IS ORDERED that defendants' motions to adjourn trial (ECF Nos. 534, 538) are denied.

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE
SITTING BY SPECIAL DESIGNATION

Dated: June 7, 2022
Detroit, Michigan

¹ The Court entered an amended trial notice on April 29, 2022, moving the trial start date from June 16 to June 13, 2022. (ECF Nos. 422, 427).